



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

KELLY, Michael, et al.

Appln. No.: 09/585,157

Filed: June 12, 2002

Title: ANTIFUNGAL AND
ANTIMYCOBACTERIAL
BASILISKAMIDES

Atty. Docket No.: 007779-0282195

Examiner: Amelia Owens

Group Art Unit: 1625

Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence along with any paper referred to as being attached) is being mailed to Addressee by service of the United States Postal Service addressed to the Commissioner of Patents and Trademarks, U.S. Patent and Trademark Office, Box IDS, Washington, D.C. 20231

By: Karen F. Massie
Karen F. Massie

Date: 12/26/02

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INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
Box IDS
Washington, D.C. 20231

Sir:

Attached is Form PTO-1449 listing the enclosed citations submitted in compliance with the duty of disclosure as defined in 37 C.F.R. §1.56.

Contingent Request Under Rule 97(c): Should a first action on the merits have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under Rule 97(c) and charge the requisite Rule 17(p) fee to our Deposit Account No. 03-3975, under the above Attorney Docket No., and proceed to consider this Information Disclosure Statement.

This IDS is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that

effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

It is believed by the undersigned that no fee is required pursuant to 37 C.F. R. § 1.97. However, the Commissioner is hereby authorized to charge any fee required to the deposit account identified in the attached "Authorization to Pay and Petition for Acceptance of Any Necessary Fees" to cover this fee.

This Information Disclosure Statement is not to be construed as a representation that any of the listed citations establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim in the above-identified patent application. Additionally, this Information Disclosure Statement is not to be construed as a representation that a further search of the art has been made by the Applicant, or that additional information unknown to the Applicant and relevant to the examination of this patent application does not exist.

Consideration of the foregoing and enclosures plus the return of a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609 are earnestly solicited along with an early action on the merits.

Respectfully submitted,

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FORM PTO-1449 (modified)
To: U.S. Department of Commerce
(PW FORM PAT-1449)
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Client Ref:

007779-0282195

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Applicant: KELLY, Michael T., et al.

Appln. No.: 09/585,157 – Continuation

Filing Date: June 12, 2002

Examiner: Amelia Owens Group Art Unit: 1625

Date: December 26, 2002

Page **1** of **1**

U.S. PATENT DOCUMENTS

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
AR						
BR						
CR						
DR						

FOREIGN PATENT DOCUMENTS

	Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
					Enclosed	No	Enclose	No
ER	WO 98/04584	02/1998	PCT	KELLY, Michael, et al.		Yes		
FR	JP 7238018	09/1995	JP	SUGAWARA, Takeo, et al.		Yes		Yes
GR								
HR								
IR								
JR								

OTHER (Including in this order: Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

KR	Barsby, T.A., et al, "Basiliskamides A and B, Novel Polyketide Metabolites Produced in Culture by a Marine <i>Bacillus sp.</i> " <i>CSC98 Scientific Program</i>	Yes	TECH CENTER 1600-2900 JAN 03 2003
LR	Ermolenko, Michail, "Determination of the Absolute Stereochemistry of the Antifungal Antibiotic YM-47522 by the Total Synthesis of Its Enantiomer" <i>Tetrahedron Letters</i> , (1996), Vol. 37, No. 37, pp. 6711-6712.	Yes	
MR	Gerard, J., et al., "Lolatin B, A Cyclic Decapeptide Antibiotic Produced in Culture by a Tropical Marine Bacterium" <i>Tetrahedron Letters</i> , (1996), Vol. 37, No. 40, pp. 7201-7204.	Yes	
NR	Shibasaki, M., et al., "YM-47522, a Novel Antifungal Antibiotic Produced by <i>Bacillus sp.</i> ", <i>The Journal of Antibiotics</i> , (April, 1996), pp. 340-344.	Yes	
OR	Sugawara, T., et al., "Structure and Relative Stereochemistry", <i>The Journal of Antibiotics</i> , (April, 1996), pp. 345-348.	Yes	
PR			

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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